



2026:DHC:8098



\$~9

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Date of Decision: 21.09.2026

#

CNR No. DLHC010275002026

+

W.P.(CRL) 1891/2026 & CRL.M.A. 18896/2026

MUSKESH KUMAR

.....Petitioner

Through: Ms. Pallavi Garg, DHCLSC (*through videoconferencing*) with Ms. Sanjana Sharma Sahu and Ms. Prakriti, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Rahul Tyagi, ASC for State with Mr. Sangeet Sibou, Advocate with Inspector Mahesh Kumar and SI Rahul, PS Badli.

CORAM: JUSTICE GIRISH KATHPALIA**JUDGMENT (ORAL)**

1. The petitioner seeks *mandamus* to the respondent for including the Covid parole period (06.03.2020 to 08.03.2021) as period spent in custody.
2. Learned ASC appears on advance intimation and accepts notice.
3. Learned counsel for petitioner refers to the earlier decision dated 17.07.2025 of this Court in the case of **Rahul Gupta vs State**, W.P.(CRL)

W.P.(CRL) 1891/2026

Page 1 of 2 pages

Signature Not Verified

Digitally Signed
By: RAHUL YADAV
Signing Date: 21.09.2026
17:50:04

**GIRISH
KATHPALIA**

Digitally signed by GIRISH KATHPALIA
DN: c=IN, o=HIGH COURT OF DELHI,
2.5.4.20=8401d889b27a7b265fffe4fec455
69af3962c0fb483543597626acca, ou=HIGH
COURT OF DELHI, cn=GIRISH KATHPALIA,
postalCode=110003, st=Delhi,
serialNumber=d3e8b796451ec45c07b5d13570
996a40f02b2d2ee60402c487965f8b01e26a,
cn=GIRISH KATHPALIA
Date: 2026.09.21 17:47:04 +05'30'



2026:DHC:8098



3340/2024 and submits that the present case falls squarely within those parameters.

4. Learned ASC in all fairness does not dispute.

5. By way of order dated 17.07.2025 in **Rahul Gupta** (supra), the same question as raised in the present petition was disposed of, directing the respondent to treat the said writ petition as representation, because the issue involved is a matter of policy. Today, it is informed by learned ASC that in the said case, the said representation of Rahul Gupta was allowed by the competent authority vide order dated 29.04.2026.

6. Accordingly, on the same lines, the present petition also is disposed of directing the respondent to treat it as a representation before the competent authority and take appropriate decision on the same within twelve weeks. Accompanying application also stands disposed of.

7. For compliance, copy of this order as well as petition be sent to the respondent.

**GIRISH
KATHPALIA**

Digitally signed by GIRISH KATHPALIA
DN: c=IN, o=HIGH COURT OF DELHI,
2.5.4.20=8401dd889b27a77b2f65ffffe4afe
c45569af3962c6fb4835d435f97626acca,
ou=HIGH COURT OF DELHI,CID = 7047638,
postalCode=110003, st=Delhi,
serialNumber=d3e86796451ec45c07b5d1
5570996b40f80cbd2eee60402c487965ff8
01e26fa, cn=GIRISH KATHPALIA
Date: 2026.09.21 17:46:50 +05'30'

**GIRISH KATHPALIA
(JUDGE)**

SEPTEMBER 21, 2026/dr

W.P.(CRL) 1891/2026

Page 2 of 2 pages

Signature Not Verified

Digitally Signed
By: RAHUL YADAV
Signing Date: 21.09.2026
17:50:04